

Remarks

The Applicants respectfully request reconsideration in view of the foregoing amendments and following remarks. Claims 1-7, 10, 18-21 and 74-112 are pending, including independent claims 1, 18, 80, 89, 99 and 109. Claims 8, 9, 11-17 and 22-73 have been canceled without prejudice. In the Office action, the Examiner allows claims 1-7, 10, 18-21, 74-79 and 89-98 but rejects claims 80-88 and 99-112.

In particular, the Examiner rejects claims 80-88 and 99-112 under 35 U.S.C. § 101 as being directed to non-statutory subject matter. In rejecting these claims, the Examiner cites paragraphs 73-75 of the application then writes, “in the case that the medium is any of electrical, RF, infrared, acoustic, or other carrier wave media, and combinations of any of the above, the claim recites nothing but the physical characteristic of a form of energy and as such is directed to non-statutory subject matter.” Office action, page 3, emphasis in original. The Applicants respectfully disagree with the Examiner’s analysis. The Examiner’s comments rely on parts of the application concerning *communication media*. Before entry of the present amendment, however, claims 80-88 and 99-112 were directed to *storage media*, and these claims did not potentially read on “the physical characteristic of a form of energy.”

Nonetheless, to expedite prosecution, the Applicants have amended each of claims 80, 99 and 109 to focus on a system that includes one or more processors, memory, at least one input device, output device or communication connection, and one or more storage media. None of claims 80-88 and 99-112 reads on “the physical characteristic of a form of energy.” The Applicants request that the Examiner withdraw the rejections of claims 80-88 and 99-112 under 35 U.S.C. § 101.

All pending claims should be allowable. Such action is respectfully requested. The Applicants invite the Examiner to telephone the undersigned attorney at the number given below should any issues remain.

Respectfully submitted,

One World Trade Center, Suite 1600
121 S.W. Salmon Street
Portland, Oregon 97204
Telephone: (503) 595-5300
Facsimile: (503) 595-5301

KLARQUIST SPARKMAN, LLP

By / Kyle B. Rinehart /
Kyle B. Rinehart
Registration No. 47,027